

HOUSE RESOLUTION 1

55TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SPECIAL SESSION, 2021

INTRODUCED BY

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This document may incorporate amendments proposed by a committee, but not yet adopted, as well as amendments that have been adopted during the current legislative session. The document is a tool to show amendments in context and cannot be used for the purpose of adding amendments to legislation.

A RESOLUTION

AMENDING THE HOUSE RULES TO ALLOW FOR THE CONDUCT OF THE SECOND SPECIAL SESSION AND SECOND REGULAR SESSION OF THE FIFTY-FIFTH LEGISLATURE AND ONGOING OPERATIONS OF THE HOUSE OF REPRESENTATIVES.

WHEREAS, since March 2020, coronavirus disease 2019 and its associated variants have continued to spread, with more than three hundred six thousand documented cases and more than five thousand two hundred deaths attributed to the coronavirus disease 2019 pandemic in New Mexico through November 2021; and

WHEREAS, in late November 2021, the latest variant, omicron, was designated a "variant of concern" by the world

.221534.2AIC December 7, 2021 (9:48am)

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health organization, in part because its combination of mutations could allow for faster spread; and

WHEREAS, those who come into close contact with an individual testing positive for coronavirus disease 2019 may be required to quarantine for up to fourteen days, which could constitute a significant portion of the second special and second regular sessions of the fifty-fifth legislature; and

WHEREAS, Article 4, Section 11 of the constitution of New Mexico provides that each house may determine the rules of its procedures; and

WHEREAS, allowing for the functional presence and full participation of some members by simultaneous remote electronic means during a public health crisis such as the current coronavirus disease 2019 pandemic will help limit the risks to public health and safety inherent in the gathering of a large number of people from across the state in the state capitol; and

WHEREAS, the house of representatives recognizes that the following rules may only be used during declared public health emergencies when health and safety require that extraordinary measures be employed to prevent the spread of disease; and

WHEREAS, House Rule 24-1 provides that the rules of the house of representatives may be amended by a two-thirds' vote of all the members of the house or by a majority vote of the members of the house upon the recommendation of the house rules

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and order of business committee;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NEW MEXICO that a new House Rule 7-4-3, effective immediately upon adoption, Hf11→but only for the December 2021 special session, ←Hf11 be adopted to read:

"7-4-3 No call of the house shall be ordered on a bill that districts or redistricts an elected office, introduced during a special or extraordinary session called in the calendar year in which the state received the results of a federal decennial census."; and

BE IT FURTHER RESOLVED that the following new house rules, effective immediately upon adoption, only for the second special and second regular sessions of the fifty-fifth legislature, be adopted to read:

"4-1-1 The speaker shall ensure that all members, staff and employees who are physically present in the house, galleries, lobby, house committee rooms and rooms connected therewith follow proper social distancing requirements and wear face masks covering the mouth and nose at all times, except when in private offices."; and

"23-8-2 If at any time during standing committee hearings or floor sessions, the live audio and video stream of

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those sessions ceases to function, upon notice of the outage, the presiding officer shall immediately recess, subject to the call of the presiding officer, until the stream is able to resume."; and

BE IT FURTHER RESOLVED that the following house rules, effective immediately upon adoption, only for the second special and second regular sessions of the fifty-fifth legislature, be amended to read:

"7-1 Every member of the house shall be present on the floor of the house, unless prevented by sickness or excused by the speaker in writing. The excuse shall be filed with the chief clerk. A member who has tested positive for coronavirus disease 2019 in the past fourteen days, or is under a mandatory quarantine or self-isolation order, may also be permitted, subject to available technology, to maintain his or her presence in the house chamber and committees by simultaneous, remote, electronic or telephonic means. Remote participation for a coronavirus disease 2019 diagnosis shall be subject to approval by the speaker."; and

"7-3 If at any time during the session of the house a question is raised by any member as to the presence of a quorum, the speaker shall forthwith direct a roll call and shall announce the result, and such

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proceedings shall not be interrupted by any other member raising the question of a lack of quorum. The question as to the presence of a quorum shall not be raised more often than once every hour, unless the lack of a quorum is disclosed upon a roll call of yeas and nays. Whenever, upon a roll call, any member who is [~~upon the floor of the house~~] present refuses to respond or vote, it is the duty of the speaker, either upon [~~his~~] the speaker's own motion or upon the suggestion of any member, to request that member to respond or vote. If the member fails to respond or vote when so requested, the fact of such request and refusal shall be entered in the journal and such member shall not be counted as present for the purpose of constituting a quorum."; and

"9-7

If the [~~chairman~~] chair is absent or not physically present at any meeting, the second member named in such committee shall act as [~~chairman~~] chair at the meeting.".

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